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Committee on the Exercise of the Inalienable Rights of the Palestinian People

Summary record of the 339th meeting
Held at Headquarters, New York, on Monday, 13 February 2012, at 3.15 p.m.

Temporary Chair: Mr. Ban Ki-Moon ..... (Secretary-General)
Chair: Mr. Diallo ..... (Senegal)

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The meeting was called to order at 3.15 p.m.

Adoption of the agenda (A/AC.183/2012/L.1)

1. *The agenda was adopted.*

Election of officers

2. **The Temporary Chair** invited the Committee to consider nominations for the posts of Chair, Vice-Chairs and Rapporteur of the Committee.

3. **Mr. Daou** (Mali) nominated Mr. Diallo (Senegal) for re-election to the office of Chair, Mr. Tanin (Afghanistan) and Mr. Núñez Mosquera (Cuba) for re-election as the two Vice-Chairs, and Mr. Grima (Malta) for election to the office of Rapporteur.

4. **Mr. Mashabane** (South Africa) seconded the nominations.

5. *Mr. Diallo (Senegal), Mr. Tanin (Afghanistan), Mr. Núñez Mosquera (Cuba) and Mr. Grima (Malta) were elected by acclamation.*

6. *Mr. Diallo (Senegal) took the Chair.*

Statement by the Secretary-General

7. The Secretary-General said that he had recently returned from Israel and the Occupied Palestinian Territory, where he had encouraged both parties to re-engage in earnest towards the resumption of permanent status negotiations. Having vowed to spare no effort to help Israelis and Palestinians arrive at a new and better future, he remained hopeful that the start of direct contacts, facilitated by King Abdullah of Jordan, within the framework of the Diplomatic Quartet on the Middle East, could pave the way for serious negotiations towards an agreement on a two-State solution.

8. Concrete steps were required to restore confidence and trust on the ground. The parties had a particular responsibility to cease provocations and create an environment conducive to direct talks. Israel's continued settlement activity was a major obstacle and prejudiced final status issues. Settlement activity must cease, as it was contrary to international law and to the road map to Mideast peace. Unilateral actions on the ground would not be accepted by the international community. The increase in settler violence was also troubling. He continued to follow with concern the situation of Palestinian prisoners in Israeli jails and the use of administrative detentions, including prolonged detentions without charges.

9. For its part, the Palestinian Authority should also find ways to de-escalate the situation, improve the divisive climate, including by combating incitement, and engage directly in the search for a negotiated solution. During his visit he had been encouraged by the impressive development of institutions fundamental to the functioning of a future Palestinian State. Noting the need to build on that progress and expand the reach of those institutions, he called on the donor community to continue to assist that important process, especially when those gains were at risk due to the persistence of the conflict, fiscal challenges facing the Palestinian Authority and the Palestinian divide.

10. The United Nations had consistently supported Palestinian reconciliation within the framework of the commitments of the Palestine Liberation Organization, the Quartet principles and the Arab Peace Initiative, and under the leadership of President Mahmoud Abbas. Palestinian reconciliation and negotiations did not have to be mutually exclusive.

11. The humanitarian situation in Gaza remained a priority for the United Nations. Ordinary Gazans deserved better living conditions and freer movement. He reiterated his call for immediate steps towards ending the closure of the Gaza Strip in line with Security Council resolution 1860 (2009). The full opening of legitimate crossings for the import of construction materials was critical for Gaza's economic recovery and would enable badly needed reconstruction activities. Exports, a critical component of any economy, should be allowed to resume at scale, including transfers to the West Bank and Israel. Those policy changes could be implemented with due consideration for Israel's legitimate security concerns, while making a significant difference in the lives of ordinary Gazans.

12. Reiterating his condemnation of the firing of rockets from the Gaza Strip into Israel, he called on militants to stop their indiscriminate attacks against Israeli civilians. At the same time, Israel must show maximum restraint, and all must respect international humanitarian law.

13. All efforts must be made to effect a positive change, as the status quo was unsustainable. The parties should do their utmost to resolve all permanent status issues, end the conflict and establish an

independent, democratic, contiguous and viable Palestinian State living side by side with a secure Israel, in accordance with the relevant Security Council resolutions, the Madrid framework, previous agreements, the Road Map and the Arab Peace Initiative. It was time to realize the legitimate rights and aspirations of the peoples of Palestine and Israel. For his part, he would continue to do everything in his power to help the parties achieve that goal, and encouraged the Committee to do likewise.

14. **The Chair**, speaking as the representative of Senegal, said that over the previous year, Palestine's application for admission to the United Nations as a Member State had defined the question of Palestine. Senegal had firmly supported Palestine's legitimate request, reaffirming its stand in favour of the recognition of an independent and sovereign State of Palestine within the 1967 borders, with East Jerusalem as its capital and coexisting peacefully alongside the State of Israel, within secure and internationally recognized borders. An overwhelming majority of Member States endorsed that position. His Government also welcomed Palestine's admission to the United Nations Educational, Scientific and Cultural Organization and the parallel liberation of Palestinian political prisoners and Israeli soldier Gilad Shalit. In light of those positive advances, he urged the Israeli Government to remove obstacles to the resumption of negotiations by halting settlement and other illegal activities aimed at altering the historical, demographic and cultural realities of the occupied territories, including the multi-confessional heritage of the holy city of Jerusalem. Insistence on pursuing settlement activity stripped the peace negotiations of an essential element by jeopardizing the territorial viability of the future State of Palestine.

15. The Quartet must fully assume its responsibility as facilitator of peace talks, with a view to resolving the decades-old conflict in a just and satisfactory manner. The ideals of liberating the war-torn Middle East from fear and violence and restoring its status as a holy land of hope for the three revealed religions were non-negotiable and essential to maintaining international peace and security. In closing, he expressed confidence in the renewed engagement of the Committee in fulfilling its mandate and implementing all relevant United Nations resolutions.

16. **Mr. Mansour** (Observer for Palestine) said that his delegation appreciated the principled positions of the Secretary-General on many issues, including the illegality of settlements, the inclusion of Jerusalem as a final status issue and the need to end the 1967 occupation in order to allow the establishment of an independent State of Palestine. He also hailed the Secretary-General's recent visit to the Gaza Strip as a concrete demonstration of his commitment to lifting the blockade on the territory. All such efforts to remove obstacles to peace constituted important contributions to facilitating the resumption of direct negotiations and increasing their chance of success. More frequent visits were necessary to draw international attention to the situation on the ground, most notably to Palestinian efforts to build the city of Rawabi and Israeli obstruction of the peace process through the construction of settlements and the separation wall. His delegation would continue to cooperate with the Secretary-General and the many agencies providing important services in the Occupied Palestinian Territory, especially the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). The Secretary-General's active support for the release of Palestinian political prisoners and for Palestine's application for membership in the United Nations would be remembered once the occupation had ended and Palestine had secured its independence, a milestone that was not far off.

Update on developments since the previous meeting of the Committee

17. **The Chair**, summarizing some of the activities and developments that had taken place since the Committee's previous meeting, said that Iceland had formally recognized the Palestinian State on 15 December 2011. On 18 December, the Israeli Housing Ministry had published tenders for 1,028 homes to be built in settlements in East Jerusalem and the West Bank. Also on 18 December, Israel had released about 550 Palestinian prisoners in the second half of the swap deal, and the United Nations Special Rapporteur for freedom of expression had concluded a mission to Israel and the Occupied Palestinian Territory, expressing concern at Israeli treatment of Palestinian demonstrators.

18. On 20 December, the Assistant Secretary-General for Political Affairs had briefed the Security Council on the situation in the Middle East. On 22 December, Fatah and Hamas had reached a key agreement in Cairo to admit Hamas into the Palestine Liberation

Organization, and on 28 December, the Israeli authorities had approved the construction of 130 new settler homes in East Jerusalem.

19. On 3 January 2012, Israeli and Palestinian negotiators had held their first direct talks in 15 months in Amman. At least five rounds of preparatory meetings had since been held. Also on 3 January, the Israeli Housing Ministry and the Israel Lands Administration had published three new tenders for the construction of 300 settlement housing units in Jerusalem.

20. On 11 January, the Permanent Mission of Thailand had announced that its Government had officially recognized the State of Palestine and initiated the process to establish and formalize diplomatic relations with Palestine. On 18 January, the Under-Secretary-General for Humanitarian Affairs had briefed the Security Council on the humanitarian situation in the Occupied Palestinian Territory. On 23 January, the Council of the European Union had adopted conclusions on the Middle East peace process, calling on the parties to come forward with comprehensive proposals on borders and security. The following day, the Security Council had held an open debate on the situation in the Middle East, in which he had participated. From 24 to 26 January, the European Union High Representative for Foreign Affairs and Security Policy had visited Israel and the Occupied Palestinian Territory. On 27 January, the United Nations Humanitarian Coordinator for the Occupied Palestinian Territory had issued a statement calling for the immediate end to the demolition of Palestinian homes by the Israeli authorities in the West Bank. On 28 January, the European Union missions in Jerusalem and Ramallah had issued a statement expressing concern about the recent arrests of five Palestinian Legislative Council members by Israel.

21. On 1 and 2 February, the Secretary-General had visited Israel and the Occupied Palestinian Territory and called on the parties to take steps to build trust and ensure an environment conducive to sustained negotiations. Also on 1 February, the German Foreign Minister had announced during his visit to Ramallah that Germany had upgraded the Palestinian diplomatic representation in Berlin from a delegation to a mission headed by an ambassador. On 5 February, the president of the Palestinian Authority and the chief of the Hamas Political Bureau had agreed to form an interim Government during a meeting in Doha, Qatar. On 6 and 7 February, the Committee had convened the United Nations Seminar on Assistance to the Palestinian People in Cairo. On 8 February, the Advisory Board of the Special Human Settlements Programme for the Palestinian People, which was led by the United Nations Human Settlements Programme (UN-HABITAT), had held its first meeting at United Nations Headquarters.

Draft programme of work of the Committee
(A/AC.183/2012/CRP.1)

22. **The Chair**, introducing the Committee's draft programme of work for 2012 (A/AC.183/2012/CRP.1), said that section I summarized the relevant resolutions adopted by the General Assembly at its sixty-sixth session, section II contained a brief outline of developments on the ground and the political process, and section III outlined the priority issues for 2012, which, inter alia, included the continuation of work towards heightening international awareness and dialogue regarding the various aspects of the question of Palestine and promoting international support for the rights of the Palestinian people and the peaceful settlement of the question of Palestine. Section IV described the planned activities and events of the Committee and the Division for Palestinian Rights.

23. He would take it that the Committee wished to approve the draft programme of work.

24. *It was so decided.*

Request by Ecuador to become a member of the Committee

25. **The Chair**, with reference to a letter of 13 January 2012 from the Permanent Mission of Ecuador to the United Nations, said that he would take it that the Committee wished to approve the request by the Government of Ecuador to upgrade its status in the Committee from that of observer to full member.

26. *It was so decided.*

27. **Mr. Morejón** (Ecuador) said that his country was requesting admission as a full member of the Committee. On 24 December 2010, his Government had recognized the State of Palestine as a free, independent, and sovereign State within the 1967 borders, in accordance with Security Council resolution 242 (1967), the implementation of which

should be sought as vigorously as that of other Council resolutions.

28. Subsequently, on 31 October 2011, his Government had voted in favour of admitting Palestine as a Member State of the United Nations Educational, Scientific and Cultural Organization (UNESCO), with a view to overcoming decades of injustice and in defiance of the pressure and threats from some States which felt they had the right to impose their views on other countries in the conduct of their international relations.

29. Palestine's admission to UNESCO reaffirmed the historic right of Palestinians who had long been living on their territory and brought to light the relevant resolutions of the United Nations, which had recognized the existence of the Palestinian State since 1947. It existed irrespective of the good will of the Government of Israel, a decision by the United States of America, or of the continuous boycotting of negotiations by the occupying Power which aimed to expel the rightful owners through a campaign of illegal and illegitimate settlements.

30. Ecuador would continue to be firmly committed to finding a peaceful solution to all the problems affecting the Middle East, focusing in particular on negotiations relating to the legitimate right of the Palestinian people to establish their own nation State, with the same rights and obligations as any other member of the international community.

31. His Government reaffirmed the full validity of the agreements concluded between Palestine and Israel, including those based on the terms of reference of the Madrid Conference, which had been and must continue to be based on the principle of land for peace, without allowing for pressure, threats or use of force, but focusing on the right of the people of Palestine and Israel to live together in peace and the obligation of both States to respect the borders established by the United Nations in 1967, which could not be modified unilaterally or on the basis of false realities or in the name of myths inspired by religion.

32. Ecuador had consistently supported international efforts to foster dialogue between Palestine and Israel, including through the Quartet; nonetheless, the Quartet must heed the legitimate demands to permanently suspend any Israeli settlement on Palestinian territory and halt the abuse and aggression of the occupying Power against Palestinian inhabitants in their own land.

33. **Ms. Vivas Mendoza** (Bolivarian Republic of Venezuela) said that her delegation endorsed the statement made by the delegation of Ecuador, whose full membership in the Committee would enhance its effectiveness and productivity. Furthermore, it was also a source of pride that its membership would boost the representation of the Group of Latin American and Caribbean States in the Committee, and give greater visibility to the cause of the Palestinian people in the Latin American and Caribbean region.

34. **Mr. Rosales Díaz** (Nicaragua) said that Ecuador's full membership in the Committee would add value to its work, and brought to light the strengthened and unwavering commitment of the Bolivarian Alliance for the Peoples of Our America to the realization of the rights of the Palestinian people.

35. **Mr. Mansour** (Observer for Palestine) noted that Ecuador's full membership in the Committee would be a positive contribution to its work, recognizing also the active role Ecuador had played in the context of the quest to establish a two-thirds majority of countries recognizing the State of Palestine.

36. **The Chair** said that the Committee's decision to approve Ecuador's request for membership would be submitted for the approval of the General Assembly.

Report of the Chair on the United Nations Seminar on Assistance to the Palestinian People, held in Cairo, Egypt, on 6 and 7 February 2012

37. **Mr. Mansour** (Observer for Palestine) said that two papers presented at the seminar contained particularly valuable information to help strengthen Palestine's struggle for independence. The first paper estimated the cost of the Israeli occupation to the Palestinian economy at about $7 billion and the second paper at $9 billion annually. It would be useful to distribute those papers in CD-Rom form to United Nations Member States, as that research helped to illustrate that, were it not for the Israeli occupation, Palestine would not be a failed State but a vibrant economy which deserved to gain independence and become a full member of the United Nations.

38. **The Chair** said that he agreed that the information should be circulated to each Member State. He took it that the Committee wished to take note of the report.

39. *It was so decided.*

United Nations International Meeting on the Question of Palestine to be held at the United Nations Office at Geneva on 3 and 4 April 2012

40. **The Chair** drew attention to the provisional programme for the United Nations International Meeting on the Question of Palestine, on the theme of "the question of Palestinian political prisoners in Israeli prisons and detention facilities: legal and political implications", to be held at the United Nations Office at Geneva on 3 and 4 April 2012, as contained in working paper No. 1, which had been distributed by the Secretariat.

41. That event would help to further raise awareness of the situation and strengthen the determination of the international community to find a solution, namely through the speedy release and reintegration of Palestinian political prisoners into Palestinian society. It would also foster a discussion on the legal and humanitarian aspects of the arrests and detentions of Palestinians by the occupying Power and consider the status of Palestinian prisoners in the context of the Israeli-Palestinian political process, and on ways to strengthen the role of the wider international community, as well as non-governmental actors, in promoting a solution. That meeting would be followed, on 5 April, by consultations with civil society organizations. He took it that the Committee wished to approve the provisional programme.

42. *It was so decided.*

The meeting rose at 4:35 p.m.